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# FACT SHEET

## State Minimum Wage Coverage for Farm Workers (*HB71aa*)

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During its 2001 session, the Idaho Legislature passed House Bill 71, as amended, extending minimum wage coverage to farm workers. The law became effective January 1, 2002. Details are listed on the back of this Fact Sheet, or visit our website at [www.labor.state.id.us/hb71aa.htm](http://www.labor.state.id.us/hb71aa.htm).



*"This law marks a milestone of progress in Idaho. It provides farm workers with the same minimum wage protection under the law as any other citizen in the state. And it gives Idaho's hard-working farmers the credit they deserve for providing their workers with wages that are, in most cases, well above the minimum wage. It shows what can happen when good men and women work together to reach an agreement that moves us forward. All of us can be proud of this accomplishment."*

**GOVERNOR DIRK KEMPTHORNE**

*"We are committed to administering this law in a fair and balanced way. Our goal is to make the implementation of this minimum wage law as user friendly and as simple as possible. Our intent is not to penalize farmers, but to help them comply with the law and to assure, through our wage claim process, that farm workers are paid for the hours they work."*

**ROGER B. MADSEN**  
*Director, Idaho Department of Labor*



For more information, visit our website: [www.jobservice.us/laborinfo.htm](http://www.jobservice.us/laborinfo.htm)

# State Minimum Wage Coverage for Farm Workers (*HB71aa*)

## TIMING

- ▶ The law becomes effective January 1, 2002

## COVERAGE

- ▶ The law guarantees farm workers the state minimum wage of \$5.15 an hour on all farms **except** for the following employees:
  - ▶ The employer's immediate family members;
  - ▶ Seasonal hand harvest workers paid on a piece rate basis where the employee commutes daily from a permanent residence and works less than 13 weeks a year;
  - ▶ Children 16 or younger employed in hand harvest labor on the same farm as their parents; and
  - ▶ Employees engaged in range production of livestock (cattle and sheep).
- ▶ The law does not require farm workers to be paid overtime.
- ▶ This law does not restrict farm workers to working only on an hourly basis. They can work and be paid on a piece rate basis. However, when working on a piece rate basis, it is necessary for employers to keep records to document that the amount earned by piece rate is not less than \$5.15 an hour, the minimum hourly wage.

## RECORD KEEPING

- ▶ Records should include:
  1. Employee's name, home address, occupation, sex, and birth date (if under 19 years of age);
  2. Hour and day when workweek begins;
  3. Total hours worked each workday and workweek;
  4. Total daily or weekly straight time earnings;
  5. Regular hourly pay rate;
  6. Deductions from wages;
  7. Total wages paid each pay period; and
  8. Date of wage payment and pay period covered.
- ▶ Records do not have to be kept in any particular form and time clocks need not be used.
- ▶ Records must be kept for a minimum of three years.
- ▶ Employees must be paid for all hours worked in a workweek. In general, "hours worked" includes all time an employee must be on duty, or on the employer's premises, or at any other prescribed place of work.

## EDUCATION AND ENFORCEMENT

- ▶ A statewide outreach effort to educate both farmers and farm workers about the requirements of this legislation will be conducted starting in the fall of 2001.
- ▶ When wage complaints are filed, the Department will enforce the State farm worker minimum wage law through its wage claim process.

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